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A
PLAIN STATE
OF THE
ARGUMENT
BETWEEN
GREAT-BRITAIN
AND
HER COLONIES.



LONDON:
Printed for T. BECKET, the Corner of the Adelphi
in the Strand, 1775.

[PRICE SIX-PENCE.]

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IT is agreed on all hands that the kingdom of Great-Britain has no power within it, superior to its Parliament, and that whatever authority the King or any of his governors are possessed of, it is all subservient to, dependent upon, and derived from the Parliament.

B

I speak

I speak of the present government as settled with King William the Third at the Revolution. The Parliament without a king's consent dethroned one prince and set up another ; and afterwards with the consent of one whom they had voted to the throne fixed the succession. King William the Third therefore, and all our kings since, derived their very existence from the Parliament, that is, from the Electors of Great-Britain and the Peers.

As this is the fact it would be inconsistent to say that a King has any power at all, but what is derived

rived ultimately from the People through the Parliament.

Whatever deeds the King executes as King: whatever governments he settles; whatever charters he grants must, upon this account, be subject to the inspection, the controul, the alteration which Parliament from time to time may think fit to make.

The settling a colony, is effected by the King's granting a charter to a number of people, to inhabit and cultivate a part of some new acquired dominions, which hitherto has not had a regular government from Great-Britain. But it would

be absurd to the highest degree to suppose a King to be able to establish laws in a colony which a Parliament could not alter. If he could, he might also make the same colony independent; or, in other words, he might alienate, that is, dispose of a part of the British Empire. Thus, if charters granted by the King are not liable to the controul of a Parliament, a King of Great-Britain might make himself absolute over all new-conquered, new-ceded, or new-discovered countries. He might fix what terms he pleased, or put the charters into what hands, and for as long a time as he thought best. It must then

then I think be allowed as a certain position that whatever charters our colonies had granted to them, they are necessarily subject to the Jurisdiction of Parliament. This is equally true whether the Jurisdiction of Parliament is expressed in the charter or not.

The King it is allowed has altered and withdrawn charters. Of course, what the King by his delegated power can legally do, the Parliament by their *supreme jurisdiction* may undoubtedly effect.

The King issues proclamations, and grants charters to all new colonies. He determines the mode of govern-

government, causes duties to be laid on wares, and taxes to be raised for the support of the government of each Province. But if Parliament chooses to alter the modes both of taxation and government, I cannot see the shadow of a reason against the legality of their doing it. It may be at any distance of time, and as the state of the provinces demands. In the first settling a colony, it is sufficient that the King exerts his delegated power, and allows the provinces to assess themselves in a particular manner. But, when provinces grow large, populous and powerful, the supreme jurisdiction of Parliament should always establish the mode of govern-

vernment which is to be pursued. And it was the great error of administration in the last reign that the *Parliamentary right* of taxing the colonies was not established before a war had been entered into for their defence.

It is said every colony has a right to be governed by the laws of the parent-state, and to *claim* the same privileges which the old subjects of that state possess. This position is not true. The fact indeed is that most states do follow the plan of their own government in settling colonies; because it is what they are best acquainted with themselves.

But

But colonies may be controuled by such laws as a parent-state judges most conducive to the joint interest of both. Laws must be adapted to the exigencies of climate and country, and to the disposition of the people. To give of a sudden to a set of debauched enervated Asiatics, the laws by which we are governed, would be to introduce anarchy and confusion. To form a popular government in provinces where the people are totally averse to it, would be doing an injury to the community you govern, and is only consistent with the wild schemes of a violent republican. That every state will consider the
benefit

benefit of its dependents must be presumed, because this conduct will be ultimately beneficial to the whole. But that a colony should *claim* its own laws, and choose its own mode of raising a revenue, is contrary to the principles of government, and acting in open defiance of that state from whence the colony derived its being. Right therefore to a particular kind of government cannot be pleaded by any colonies. Expedience may, but of that expedience the legislature of the parent-state must judge.

This, I think, shows clearly the *right* which a King of Great-Britain

requisite

C

has

has to establish laws in an infant-colony, and which a Parliament has to controul him afterwards. The argument then is in favour of Great-Britain as to the right of taxing America.

But it is objected by some Great Names, "that internal taxation is
 "one thing, and legislation is another: that the consent of a representative is necessary in the
 "former, but not in the latter case." This is not true. The same power is requisite to forbid me wearing cambrick, or shooting a partridge, as to oblige me to pay the land-tax. The same power is requisite

requisite to tax goods exported to a colony; as to raise a revenue in that colony; and it ought to be so, for the event is just the same in taking the money from the subject for the uses of the state.* To permit the colonies to raise their revenue themselves, is only the silence and indulgence of the supreme legislature, which chooses to

* It is said, that the Commons have the whole right of taxing the people. They have the right of fixing the sum, and choosing the mode; and the bill must originate in that House: but the Peers have a negative upon the whole, though not upon any individual part of it. There must in a money-bill (as in every Act of Parliament) be the consent of the three estates in Parliament, only differently modified.

acquiesce in what the King by his delegated power has granted in his charter: but if the Parliament will specify a new mode, no power of the colonies (without rebellion) can oppose the execution of those laws. They may remonstrate, and beg to be continued to exercise their old form of taxing, or ask for another. But to deny the *right* is to renounce their allegiance and claim independency.

This argument which is used in behalf of the colonies would hold equally in behalf of all those subjects in Great-Britain, who have no
vote

vote for representatives; they might
 say, "we have no voice in choosing
 "members of Parliament, and no
 "man has a right to take money
 "out of our pockets without our
 "leave, or the leave of those who
 "act for us. If we are allowed to
 "have a Vote for Representatives we
 "will then admit ourselves to be
 "taxed, but not before." It is ab-
 surd to answer this argument, by
 saying, "they who have no vote are
 "virtually represented by those who
 "have." It is using words without
 meaning. The plain truth is, that
 the power of choosing representa-
 tives is put into the hands of a few,
 as the government thought fit: if

the Parliament choose to alter this, they may. They can, if they please, disfranchise one set of Electors, and grant to those who have never enjoyed it before, a right of choosing Representatives. And if they will permit the colonies to send members they may. But no place whatsoever can *claim* this privilege as a matter of legal right.

I know I controvert great opinions in both Houses of Parliament. But I am bold enough to say, that these arguments which I have produced have never been confuted by any of the writers or speakers in the cause of the colonies.

The

The warm advocates for the ancient charters to the provinces are not aware to what their principles lead them. In an infant-colony its present exigencies are chiefly considered. It might be doing the greatest injury to that colony to allow a King to grant a charter which a Parliament could not controul. By tying it down to the crude notions of its first plan, the very existence of the colony might be in danger, all improvements might be checked, and it might be unable to extend its influence, wealth, or power.

But

But as to expedience I do not pretend to judge. If the acts already passed are destructive, the British Parliament no doubt has candour enough (upon the submission of the colonies) to repeal them. If internal taxation is odious, another plan may be found out. If the receiving representatives from America be practicable, why not admit it? If it is proper to incorporate the colonies, and make them a part of the parent-state instead of distinct provinces, why not deliberate about it? But that the colonies should plead a King's charter against the *superior direction* of King, Lords and Commons,

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Commons, is both absurd, unconstitutional, and unjust, and ought to be opposed by every *friend* and *well-wisher* to the British Empire.

F I N I S.



I am, Sir, your obedient servant.

